

Article - Environment

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§9–633.

(a) Subject to the provisions of this section, a district may acquire rights in land or water rights by exercise of the right of eminent domain as set forth in Title 12 of the Real Property Article.

(b) A district's power of eminent domain does not extend to an interest in real property that is owned by a county, municipal corporation, or other political subdivision unless the governing body of that county, municipal corporation, or other political subdivision consents.

(c) A district's power of eminent domain does not extend to a privately owned and operated water system, sewerage system, or solid waste acceptance facility unless:

(1) The owners and operators of the system or facility consent;

(2) The system of a facility is not being operated or maintained as required by law; or

(3) The system is needed as an integral part of a service area.

(d) (1) After complying with this subsection and no sooner than 10 days after judgment has been entered in the condemnation proceedings, the district may take any property that has been condemned under this section.

(2) Before taking the property, the district shall pay to the court the amount of the award and costs taxed to date.

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